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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/780,747	02/19/2004	Toshihiko Muramatsu	0073/015001	1781

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EXAMINER

CONTEE, JOY KIMBERLY

ART UNIT PAPER NUMBER

2617

DATE MAILED: 11/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/780,747	Applicant(s) MURAMATSU, TOSHIHIKO	
	Examiner Joy K. Contee	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Applicant's arguments with respect to claims 1-9 have been considered but are moot in view of the new ground of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shimada U. S. 2002/0152025, previously used, in view of Benham et al., (Benham), US 2005/0114024.

Regarding claims 1-9, Shimada discloses a mobile terminal device having a route guiding function of guiding a route by obtaining map information from a server system via a radio communication network, comprising: a position detecting unit which detects a current position of the mobile terminal device; a bearing detecting unit which detects a first bearing to which the mobile terminal device is directed; a map information acquiring unit which transmits predetermined specific information to identify a destination and positional information of the current position to the server system, and acquires map information on a section containing the destination and the current position from the server system; a displaying unit which displays a map based on the acquired map information, displays predetermined icon images at a position of the

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destination and the current position respectively, and displays an icon image indicating the first bearing.

Shimad fails to explicitly disclose a target bearing calculating unit which calculates a second bearing from a current position to the destination based on the positional information and the specific information and a target capturing unit which produces a sound effect in response to a difference between the first and second bearings.

In a similar field of endeavor, Benham discloses a target bearing calculating unit which calculates a second bearing from a current position to the destination based on the positional information and the specific information and a target capturing unit which produces a sound effect (reads on audio signal) in response to a difference between the first and second bearings (page 1 [008] and page 3 [0036]).

At the time of the invention it would have been obvious to one of ordinary skill in the art to modify Shimada to include a system and method configured to facilitate calculation of a desired direction of travel based on a desired direction of travel on a map and account for declination (see Benham, page 1 [006]).

4. Claims 10-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shimada and Benham, in further view of Ihara et al. (Ihara), US Patent No. 5,552,990.

Regarding claims 10-18, Shimada and Benham disclose the limitations of claims 1,4,6,8 and 10, above, but fails to explicitly disclose calculating a difference between the

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first and second bearing and wherein the second bearing is calculated by a formula

$\theta = \arctan \left(\frac{\text{the latitude C} - \text{the latitude A}}{\text{the latitude D} - \text{the longitude B}} \right)$.

In a similar field of endeavor, Ihara discloses a vehicle positioning detecting apparatus wherein the correction of the bearing is carried about using map information using a analogous formula (see col. 12, lines 5-53).

At the time of the invention it would have been obvious to one of ordinary skill in the art to modify Shimada and Benham to include bearing correction about a running locus for the purpose of obtaining an accurate bearing or correction thereof.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joy K Contee whose telephone number is 571.272.7906. The examiner can normally be reached on Monday through Friday, 5:30 a.m. to 2:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on 571.272.7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.


JOY K. CONTEE
PATENT EXAMINER

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JC